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Section 8

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/761,969	01/16/2001	Martha Garrity	A1712

CONFIRMATION NO. 5878

FORMALITIES LETTER



Donald E. Stout
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Irvine, CA 92618

Date Mailed: 03/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/23/2001 HMDHAMM1 00000014 09761969

FILED UNDER 37 CFR 1.53(b)

01 FC:101	710.00 OP
02 FC:105	130.00 OP
03 FC:103	1152.00 OP
04 FC:102	320.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

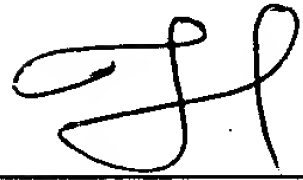
- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1472.
 - \$1152 for 64 total claims over 20.
 - \$320 for 4 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2312.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

A handwritten signature, possibly reading "JH", is written above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket: A1712

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re application:

Garrity et al.

U.S. Serial No.: 09/761,969

Filed: 01/16/01

For: VITAMIN D ASSAY

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Group Art: 1641

ATTENTION: Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts dated March 28, 2001, please find enclosed a properly executed Declaration, and the copy of Notice to File Missing Parts of Application.

A check in the amount of \$2312.00 to cover the surcharge, and the basic filing fee.

[x] The Commissioner is hereby authorized to charge any deficient payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-5135.

[X] Any additional filing fees required under 37 CFR 1.16.

[X] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Donald E. Stout
Attorney for Applicants
Registration Number: 34,493

May 15, 2001
Irvine, CA

phone: 949-450-1750
facsimile: 949-450-1764

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail in an envelope addressed to :
Commissioner for Patents
Attention: Box Missing Parts
Washington, D.C. 20231

Signature: _____

Dawn B. Zuniga

Date: _____

05/15/01
May 15, 2001